

PATENT
Attorney Docket No. SER-002
(6442/4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Peli et al.
SERIAL NO.: 09/916,640 GROUP NO.: 2872
FILING DATE: July 26, 2001 EXAMINER: Not yet assigned
TITLE: Bioptic Telescope System Embedded Into a Spectacle Lens

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Sir/Madam:

In response to the Notice of Incomplete Reply (Nonprovisional) September 25, 2001, enclosed is a check in the amount of \$850.00 for the payment of the basic filing fee for a small entity (\$370.00), fee for claims in excess of 20 (\$360.00), one-month extension petition (\$55.00) and surcharge (\$65.00) for a small entity in compliance with 37 C.F.R. 1.27. Also enclosed are the drawings for this application with the corrected margins.

Should the amounts above be incorrect, please charge Deposit Account No. 20-0531 for any deficiencies.

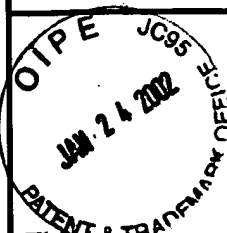
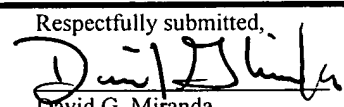
Respectfully submitted,

David G. Miranda
Agent for Applicants
Testa, Hurwitz, & Thibeault
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: December 14, 2001
Reg. No. 42,898

Tel. No. (617) 248-7954
Fax: (617) 790-0339

#4

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Attorney Docket Number SER-002											
		In re Application of Peli											
		Application Serial No. 09/916,640											
		Filed: July 26, 2001											
		Group Art Unit: 2872	Examiner: Not Yet Assigned										
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above entitled application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired)</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td>\$ 110.00</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td>\$</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td>\$</td> </tr> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: <u>\$55.00</u>.</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 20-0531. Enclosed is a duplicate of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 20-0531.</p> <p><input checked="" type="checkbox"/> Return receipt postcard enclosed.</p> <p>I am the <input type="checkbox"/> assignee of record of the entire interest. <input type="checkbox"/> applicant. <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). _____</p>				<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 110.00	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$
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CORRESPONDENCE ADDRESS		SIGNATURE BLOCK											
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		Respectfully submitted,  Date: December 14, 2001 Reg. No. 42,898 Tel. No.: (617) 248-7954 Fax No.: (617) 790-0339 David G. Miranda Agent for Applicants Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110											

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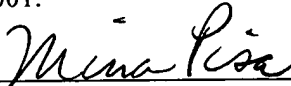
PATENT
Attorney Docket No. SER-002
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Peli, et al.
SERIAL NO.: 09/916,640 GROUP NO.: 2872
FILING DATE: 7/26/01 EXAMINER: Not Yet Assigned
TITLE: Bioptic Telescope System Embedded Into a Spectacle Lens

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Attention: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on December 14, 2001.



Mina Pisa

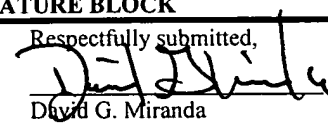
Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Dear Sir or Madam:

Submitted herewith are:

- (1) Transmittal Form (1 page);
- (2) Fee Transmittal (1 page);
- (3) Check in the amount of \$850.00;
- (4) Petition for Extension of Time Under 37 C.F.R. 1.136(a) (1 page);
- (5) Response to Notice of Incomplete Reply (Nonprovisional) (1 page);
- (6) Copy of Notice of Incomplete Reply (Nonprovisional) (2 pages);
- (7) Formal Drawings (10 sheets); and
- (5) Return Receipt Postcard.

 FEE TRANSMITTAL FY 2001	Complete if Known		
	Application Serial Number	09/916,640	
	Filing Date	July 26, 2001	
	First Named Inventor	Peli	
	Group Art Unit	2872	
	Examiner Name	Not yet assigned	
		Attorney Docket No.	SER-002

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																	
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>65</td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td>55</td> </tr> <tr> <td>390</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>920</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1,390</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1,890</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>310</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>310</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>270</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>50</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>710</td> <td>355</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>710</td> <td>355</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Other fee (Specify) _____</td> <td colspan="2"></td> </tr> </tbody> </table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath	65	50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	For filing a request for reexamination		110	55	Extension for reply within first month	55	390	195	Extension for reply within second month		920	460	Extension for reply within third month		1,390	695	Extension for reply within fourth month		1,890	945	Extension for reply within fifth month		310	155	Notice of Appeal		310	155	Filing a brief in support of an appeal		270	135	Request for oral hearing		130	130	Petitions to the Commissioner		50	50	Petitions related to provisional applications		180	180	Submission of Information Disclosure Statement		710	355	Filing a submission after final rejection (37 CFR 1.129(a))		710	355	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (Specify) _____				Other fee (Specify) _____			
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.																																																																																			
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TOTAL: 1460 SMALL ENTITY DISCOUNT: 730 SUBTOTAL (1) (\$) 730																																																																																			
2. AMENDMENT CLAIM FEES <table border="1"> <thead> <tr> <th>Claims Remaining After Amend.</th> <th>Highest No. Previously Paid For</th> <th>Present Extra</th> <th>Rate</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td>=</td> <td></td> <td>x \$ 18.00 =</td> <td></td> </tr> <tr> <td>Indep.</td> <td>=</td> <td></td> <td>x \$ 80.00 =</td> <td></td> </tr> <tr> <td colspan="3"><input type="checkbox"/> First Presentation of Multiple Dep. Claim</td> <td>+ \$270.00 =</td> <td></td> </tr> <tr> <td colspan="3">TOTAL:</td> <td>(\$)</td> <td></td> </tr> <tr> <td colspan="3">SMALL ENTITY DISCOUNT:</td> <td>(\$)</td> <td></td> </tr> <tr> <td colspan="3">SUBTOTAL (2)</td> <td>(\$)</td> <td>0</td> </tr> </tbody> </table>		Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid	Total	=		x \$ 18.00 =		Indep.	=		x \$ 80.00 =		<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$270.00 =		TOTAL:			(\$)		SMALL ENTITY DISCOUNT:			(\$)		SUBTOTAL (2)			(\$)	0	SUBTOTAL (3) (\$) 120 SUBTOTAL (1) 730 SUBTOTAL (2) 0 SUBTOTAL (3) 120 TOTAL (\$) 850																																														
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Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100		Date: December 14, 2001 Reg. No.: 42,898 Tel. No.: (617) 248-7954 Fax No.: (617) 790-0339 Respectfully submitted,  David G. Miranda Agent for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110																																																																																	



Application Serial Number	09/916,640
Filing Date	July 26, 2001
First Named Inventor	Peli
Group Art Unit	2872
Examiner Name	Not yet assigned
Attorney Docket No.	SER-002
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

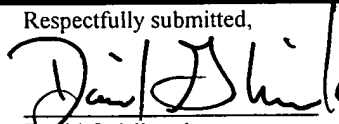
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input checked="" type="checkbox"/> Petition for Extension of Time (1 month) <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input checked="" type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Response to Notice of Incomplete Reply (Nonprovisional)
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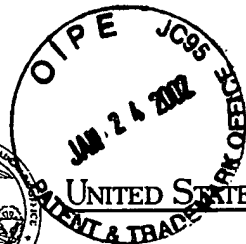
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

 Date: December 14, 2001
 Reg. No. 42,898
 Tel. No.: (617) 248-7954
 Fax No.: (617) 790-0339
 David G. Miranda
 Agent for Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110

#4 0360 #



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,640	07/26/2001	Eliezer Peli	SER-002

CONFIRMATION NO. 8480

FORMALITIES LETTER



OC00000006791379

Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

01/28/2002 HDEHESS1 00000187 09916640

01 FC:201 370.00 OP
02 FC:203 360.00 OP
03 FC:205 65.00 OP

Date Mailed: 09/25/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 07/26/2001 to the Notice to File Missing Parts (Notice) mailed 09/25/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$720.
■ \$720 for 40 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1560.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom

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margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

201210-012402 0916540-012402